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11 George and Virginia Johannessen

12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF CALIFORNIA

14 MICHAEL HARROSH,

15 Plaintiff,

16 v.

17 TAHOE REGIONAL PLANNING AGENCY;
18 GEORGE AND VIRGINIA JOHANNESSEN,

19 Defendants.

Case No. 2:21-cv-01969-KJM-JDP

STIPULATION RE BRIEFING
SCHEDULE FOR PLAINTIFF'S
RULE 12(C) MOTION; ORDER

STIPULATION

WHEREAS, on November 10, 2022, the Court denied Defendant Tahoe Regional Planning Agency's ("TRPA") motion to dismiss the first claim in Plaintiff Michael Harrosh's ("Plaintiff") complaint ("Complaint") against TRPA and George and Virginia Johannessen ("Johannessens") (collectively, TRPA and the Johannessens are referred to as "Defendants") (ECF No. 48, p. 21);

WHEREAS, Plaintiff now seeks to file a motion for judgment on the pleadings under Federal Rules of Civil Procedure ("Rule") 12(c);

WHEREAS, the Parties have met and conferred on Plaintiff's Rule 12(c) motion and, while they were not able to narrow their differences on the substances, appropriateness, or efficiency of the motion, they were able to agree on a stipulated extended briefing schedule for the motion. By entering into this stipulation, no party waives any arguments or defenses related to Plaintiff's motion; and

WHEREAS, Plaintiff and Defendants intend to submit an accompanying stipulation regarding the briefing schedule for cross motions for summary judgment on the administrative record pursuant to Rule 56 and Local Rule 261.

NOW THEREFORE Plaintiff and Defendants, through their counsel, having met and conferred, stipulate as follows:

1. Plaintiff's Rule 12(c) motion shall be set for hearing on February 17, 2023 at 10:00 a.m., or as soon thereafter as convenient with the Court's schedule;
2. If the hearing date is set for February 17, 2023, Plaintiff's Rule 12(c) motion shall be filed no later than December 16, 2022;
3. Defendants' opposition to Plaintiff's Rule 12(c) motion shall be filed no later than January 13, 2023; and
4. Plaintiff's reply brief shall be filed no later than January 27, 2023.

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1 Dated: December 16, 2022

STOEL RIVES LLP

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3 By: /s/ Michael B. Brown
MICHAEL B. BROWN
4 KRISTEN T. CASTANOS
LAUREN V. NEUHAUS
5 Attorneys for Defendants
George and Virginia Johannessen

6 Dated: December 16, 2022

BRISCOE IVESTER & BAZEL LLP

7
8 By: /s/ Peter Prows
TONY FRANCOIS
9 PETER PROWS
Attorneys for Plaintiff
Michael Harrosh

10 Dated: December 16, 2022

LEONARD LAW PC

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12 By: /s/ Debbie Leonard
DEBBIE LEONARD
13 Attorneys for Defendant
Tahoe Regional Planning Agency

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15 **ORDER**

16 Upon stipulation of the parties, and good cause appearing, it is ORDERED that:

- 17 1. Plaintiff's Rule 12(c) motion shall be set for hearing on February 17, 2023, at
18 10:00 a.m.
19 2. Plaintiff's Rule 12(c) motion, should Plaintiff file said motion, shall be filed no later
20 than December 16, 2022;
21 3. Defendants' opposition to Plaintiff's Rule 12(c) motion shall be filed no later than
22 January 13, 2023.
23 4. Plaintiff's reply brief shall be filed no later than January 27, 2023.

24 DATED: December 23, 2022.

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27 CHIEF UNITED STATES DISTRICT JUDGE
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